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**JUN 21 2010**

**OFFICE OF PETITIONS**

POLSINELLI SHUGHART PC  
700 W. 47TH STREET  
SUITE 1000  
KANSAS CITY MO 64112-1802

In re Application of Garlich et. al. :  
Application No. 10/599,748 : Decision on Petition  
Filing Date: October 6, 2006 :  
Attorney Docket No. 050990.0201.02USCP :

This is a decision on the petition under 37 CFR 1.137(b), filed February 26, 2010, to revive the application.

The petition is **granted**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action issued April 29, 2009, which set a shortened statutory period for reply of three (3) months. An extension of time under the provisions of 37 CFR 1.136(a) was not obtained. Accordingly, the application became abandoned on July 30, 2009. A Notice of Abandonment was issued January 28, 2010.

The instant petition requests revival of the application.

A grantable petition under 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed,
- (2) The petition fee,
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, and
- (4) A terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

Petitioner has submitted a reply to the non-final Office action in the form of an amendment. Petitioner has submitted the required petition fee of \$810. Petitioner has stated the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

The Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b). Therefore, the petition is granted and the application is revived.

The petition was accompanied by a payment of \$555 for a three (3) month extension of time. Payment for extension of time is not required when reviving an application and has been credited back to deposit account 50-1662.

Technology Center Art Unit 1611 will be informed of the instant decision and the application will be further examined in due course.

Telephone inquiries regarding this communication should be directed to Steven Brantley at (571) 272-3203 or in his absence to Amy Gandhi at (571) 272-6699.

A handwritten signature in black ink, appearing to read 'C. Brantley', is positioned above the printed name.

Charles Steven Brantley  
Senior Petitions Attorney  
Office of Petitions